

HOUSE JOURNAL

FORTY-SECOND LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

FIRST DAY.

Hall of the House of Representatives,
Austin, Texas,
Tuesday, July 14, 1931.

In obedience to the proclamation of His Excellency, Ross Sterling, Governor of Texas, convening the Forty-second Legislature to meet in Special Session at Austin, the seat of government, this the 14th day of July, 1931, the members of the House of Representatives assembled in Representative Hall and at 12 o'clock m. the House was called to order by the Hon. Fred H. Minor, Speaker.

Speaker Minor then directed the Clerk to call the roll.

The roll was called, and the following members were present:

Mr. Speaker.	Daniel.
Adams of Jasper.	Davis.
Adamson.	DeWolfe.
Adkins.	Donnell.
Albritton.	Dowell.
Alsup.	Dunlap.
Anderson.	Duvall.
Baker.	Dwyer.
Barron.	Elliott.
Bedford.	Farrar.
Bounds.	Ferguson.
Boyd.	Finn.
Bradley.	Fisher.
Brice.	Forbes.
Brooks.	Ford.
Bryant.	Gilbert.
Burns of Walker.	Giles.
Burns	Goodman.
of McCulloch.	Graves.
Carpenter.	Greathouse.
Caven.	Grogan.
Coltrin.	Hanson.
Coombes.	Hardy.
Cox of Lamar.	Harman.
Cox of Limestone.	Harrison
Cunningham.	of El Paso.
Dale.	

Harrison
of Waller.
Hatchitt.
Hefley.
Herzik.
Hill.
Hines.
Holder.
Holland.
Holloway.
Hoskins.
Howsley.
Hubbard.
Hughes.
Jackson.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Morris.
Jones of Shelby.
Jones of Atascosa.
Justiss.
Kayton.
Keller.
Kennedy.
Laird.
Lasseter.
Lee.
Lemens.
Lilley.
Lockhart.
Long.
McCombs.
McGill.
McGregor.
Magee.
Martin.
Mathis.
Mehl.
Metcalfe.
Moffett.
Morse.
Munson.
Murphy.

Nicholson.
Olsen.
O'Quinn.
Patterson.
Petsch.
Ramsey.
Ratliff.
Ray.
Reader.
Richardson.
Rogers.
Rountree.
Sanders.
Satterwhite.
Savage.
Scott.
Shelton.
Sherrill.
Smith of Bastrop.
Smith of Woods.
Sparkman.
Stephens.
Stevenson.
Steward.
Strong.
Sullivant.
Terrell
of Cherokee.
Terrell
of Val Verde.
Towery.
Turner.
Van Zandt.
Vaughan.
Veatch.
Wagstaff.
Walker.
Warwick.
Weinert.
West of Coryell.
West of Cameron.
Wiggs.
Wyatt.
Young.

Absent.

Akin.

Dodd.

Fuchs.
Leonard.

Pope.
Westbrook.

Absent—Excused.

Adams of Harris. Farmer.
Beck. McDougald.
Bond. Moore.
Claunch. Tarwater.
Englehard.

A quorum was announced present.
Prayer was offered by the Rev.
John W. Holt, Chaplain.

PROCLAMATION BY THE GOV- ERNOR.

The Speaker laid before the House
and had read the following proclama-
tion by the Governor:

To All to Whom These Presents
Shall Come:

Whereas, In August, 1917, the
voters of Texas adopted what is now
known as Section 59a of Article 16
of our Constitution and declared that
the "conservation and development of
all of the natural resources of this
State and the preservation and con-
servation of all such natural re-
sources of the State are each and all
hereby declared public rights and
duties; and the Legislature shall pass
all such laws as may be appropriate
thereto"; and

Whereas, There exists a deplorable
condition in Texas on account of the
great waste of our natural resources,
particularly of oil and gas, and there
is an urgent demand for the strength-
ening of our conservation laws to pre-
vent this enormous waste; and

Whereas, Citizens from every sec-
tion of this State, as well as a great
number of the members of the Legis-
lature, are insisting that the Legis-
lature be convened in order that such
laws may be enacted as they shall
deem necessary and adequate to con-
serve these natural resources.

Now, therefore, I, R. S. Sterling,
Governor of the State of Texas, do,
by virtue of the authority vested in
me by the Constitution of this State,
hereby call a Special Session of the
Forty-second Legislature to be con-
vened in the city of Austin, Texas,
commencing at 12 o'clock, noon, on
Tuesday, July 14th, A. D. 1931, for
the following purposes:

1. To enact such legislation as
will adequately provide for the con-
servation of the natural resources of
our State.

2. To consider and act on such
other subjects of public importance
as the Executive may from time to
time during the Session, submit by
message or otherwise.

In testimony whereof, I hereunto
sign my name and cause to be im-
pressed hereon the seal of the State
of Texas, at Austin, this the 8th day
of July, A. D. 1931.

(Signed) R. S. STERLING,
(Seal) Governor of Texas.

By the Governor:

JANE Y. McCALLUM,
Secretary of State.

I, Jane Y. McCallum, Secretary of
State of the State of Texas, do hereby
certify that the foregoing is a true
and correct copy of proclamation is-
sued by the Governor of the State of
Texas on July 8th, 1931, calling a
Special Session of the Forty-second
Legislature to convene in the city of
Austin at 12 o'clock, noon, Tuesday,
July 14th, A. D. 1931.

In testimony whereof, I have here-
unto signed my name officially and
caused the Seal of State to be im-
pressed at my office in the city of
Austin, this the 8th day of July,
A. D. 1931.

(Signed) JANE Y. McCALLUM,
(Seal) Secretary of State.

PROVIDING FOR COMMITTEES TO NOTIFY GOVERNOR AND SENATE.

Mr. Johnson of Dimmit offered the
following resolution:

Be it resolved, That the Speaker
appoint two committees of five mem-
bers each, one to notify the Governor
and the other to notify the Senate,
that the House of Representatives is
now organized and ready to transact
business.

JOHNSON of Dimmit,
FORD,
HOLDER.
CAVEN.

The resolution was read second
time, and was adopted.

COMMITTEES TO NOTIFY GOV- ERNOR AND SENATE.

The Speaker announced the ap-
pointment of the following commit-
tees to notify the Governor and Sen-
ate that the House is now organized
and ready for the transaction of
business:

To notify the Senate: Messrs. Ford, Caven, Bradley, Graves and Baker.

To notify the Governor: Messrs. Johnson of Dimmit, Holder, Smith of Bastrop, Magee and Lilley.

SENATE NOTIFIED.

The committee appointed to notify the Senate that the House is now organized and ready for the transaction of business appeared at the bar of the House and, being announced, stated that they had performed the duty assigned them.

PROVIDING FOR PRINTING OF DAILY HOUSE JOURNALS.

Mr. Ratliff offered the following resolution:

Be it resolved by the House of Representatives, That 1200 copies of the House Journal for the first day be printed and 1200 each remaining day of the Session, 100 to be delivered to the Senate, one copy to be placed on each member's desk daily, three copies to be delivered to the head of each department, 75 copies to the State Library, and the remaining to be left with the Sergeant-at-Arms for distribution under the direction of the Speaker.

RATLIFF,
ADAMS of Jasper,
WALKER.

The resolution was read second time, and was adopted.

GOVERNOR NOTIFIED.

The committee appointed to notify the Governor that the House is now organized and ready for the transaction of business appeared at the bar of the House and, being duly announced, stated that they had performed the duty assigned them.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bond for today and the balance of the week, on motion of Mr. DeWolfe.

Mr. Engelhard for today, on motion of Mr. Hoskins.

Mr. Adams of Harris for today, on motion of Mr. Mathis.

Mr. Claunch for today, on motion of Mrs. Rountree.

Mr. Farmer for today and tomorrow, on motion of Mr. Olsen.

Mr. Beck for today, on motion of Mr. McCombs.

Mr. Tarwater for today, on motion of Mr. Warwick.

The following members were granted leaves of absence on account of illness:

Mrs. Moore for today and the balance of the week, on motion of Mr. Farrar.

Mr. McDougald for today and the balance of the week, on motion of Mr. Magee.

PROVIDING FOR POSTAGE FOR MEMBERS.

Mr. Warwick offered the following resolution:

Resolved, That each member be allowed a total of \$15 for postage stamps and \$15 for telegrams and telephone calls; and that the Speaker be allowed an additional \$25; that the Sergeant-at-Arms be allowed \$5 for postage stamps, and that the Chief Clerk be allowed \$15 for postage stamps and \$10 for telegrams and telephone; and that the Committee on Contingent Expenses and the Committee on Appropriations be allowed \$25 each for postage stamps and telegram and telephone, to be paid out of the contingent fund of the House.

Resolved, That the postoffice box rent of the members of the House shall be paid out of the contingent fund of the House, upon approval of the Contingent Expense Committee.

Resolved, That all requisitions for paper and supplies necessary for the preparation of bills, for the engrossing and enrolling rooms, the minute books and blank papers for use of committees, the letterheads, envelopes, etc., to be used by the members or employes of the House be made under the direction of the Committee on Contingent Expenses.

Resolved, That the chairman of the Committee on Contingent Expenses be authorized to rent typewriters for the use of stenographers and Enrolling Clerks and Engrossing Clerks of the House, and to purchase typewriter ribbons, the cost of same to be paid out of the contingent fund of the House.

Resolved, That the Sergeant-at-Arms shall be the custodian of all stationery and stationery supplies required by the House; that said supplies be obtained and disposed of and accounted for by the Sergeant-at-Arms, as provided by Rule 3, Section

4, of the Rules of the Thirty-third Legislature.

Resolved, That no allowances included in this resolution shall be expended except for actual expenses of the members, committees and officers of the House hereinabove named.

WARWICK,
SHERRILL,
BROOKS,
WEST of Coryell.

The resolution was read second time.

Mr. Metcalfe offered the following amendment to the resolution:

Amend resolution to provide \$25 for telephone and telegraph.

METCALFE,
DOWELL.

Mr. Albritton moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—53.

Adkins.	Jones of Shelby.
Alsup.	Jones of Atascosa.
Albritton.	Kayton.
Bounds.	Kennedy.
Brice.	Laird.
Brooks.	Lee.
Carpenter.	McGill.
Coltrin.	McGregor.
Cox of Lamar.	Magee.
Cox of Limestone.	Ray.
Dale.	Rogers.
Davis.	Rountree.
Elliott.	Sanders.
Farrar.	Satterwhite.
Fisher.	Savage.
Forbes.	Sherrill.
Giles.	Smith of Bastrop.
Graves.	Smith of Wood.
Hanson.	Sparkman.
Harman.	Stephens.
Harrison	Stevenson.
of El Paso.	Strong.
Holland.	Terrell
Hoskins.	of Cherokee.
Hubbard.	Vaughan.
Johnson	Veatch.
of Dallam.	Warwick.
Johnson	West of Coryell.
of Dimmit.	

Nays—68.

Adams of Jasper.	Burns of Walker.
Baker.	Burns
Bedford.	of McCulloch.
Boyd.	Caven.
Bradley.	Coombes.

Cunningham.	Lockhart.
Daniel.	Long.
DeWolfe.	McCombs.
Donnell.	Martin.
Dowell.	Mathis.
Duvall.	Metcalfe.
Dwyer.	Moffett.
Ferguson.	Morse.
Finn.	Munson.
Ford.	Murphy.
Gilbert.	Nicholson.
Goodman.	Olsen.
Greathouse.	O'Quinn.
Grogan.	Patterson.
Hardy.	Petsch.
Harrison	Ratliff.
of Waller.	Reader.
Hatchitt.	Scott.
Herzik.	Shelton.
Hill.	Sullivant.
Holder.	Terrell
Holloway.	of Val Verde.
Howsley.	Towery.
Hughes.	Turner.
Jackson.	Van Zandt.
Johnson of Morris.	Wagstaff.
Justiss.	Walker.
Keller.	Weinert.
Lasseter.	West of Cameron.
Lemens.	Wyatt.
Lilley.	

Absent.

Akin.	Leonard.
Anderson.	Mehl.
Barron.	Pope.
Bryant.	Ramsey.
Dodd.	Richardson.
Dunlap.	Steward.
Fuchs.	Westbrook.
Hefley.	Wiggs.
Hines.	Young.

Absent—Excused.

Adams of Harris.	Englehard.
Adamson.	Farmer.
Beck.	McDougald.
Bond.	Moore.
Claunch.	Tarwater.

Question recurring on the amendment, it was adopted by the following vote:

Yeas—80.

Adams of Jasper.	DeWolfe.
Anderson.	Donnell.
Bedford.	Dowell.
Boyd.	Duvall.
Bradley.	Dwyer.
Burns of Walker.	Elliott.
Burns	Ferguson.
of McCulloch.	Finn.
Caven.	Ford.
Coombes.	Gilbert.
Cunningham.	Goodman.
Daniel.	Greathouse.

Grogan.	Mathis.
Hardy.	Mehl.
Harrison	Metcalfe.
of El Paso.	Moffett.
Harrison	Morse.
of Waller.	Munson.
Hatchitt.	Murphy.
Hill.	Olsen.
Holder.	O'Quinn.
Holloway.	Petsch.
Howsley.	Ramsey.
Hubbard.	Ratliff.
Hughes.	Reader.
Jackson.	Rountree.
Johnson	Sanders.
of Dallam.	Scott.
Johnson	Shelton.
of Dimmit.	Sparkman.
Johnson of Morris.	Stevenson.
Jones of Shelby.	Steward.
Justiss.	Sullivant.
Kayton.	Towery.
Keller.	Turner.
Lasseter.	Van Zandt.
Lee.	Wagstaff.
Lilley.	Walker.
Lockhart.	Warwick.
Long.	Weinert.
McCombs.	West of Cameron.
Magee.	Wyatt.
Martin.	

Nays—40.

Adkins.	Holland.
Albritton.	Hoskins.
Alsop.	Jones of Atascosa.
Baker.	Kennedy.
Bounds.	Laird.
Brice.	Lemens.
Brooks.	McGill.
Carpenter.	McGregor.
Coltrin.	Ray.
Cox of Lamar.	Rogers.
Cox of Limestone.	Satterwhite.
Dale.	Savage.
Davis.	Smith of Woods.
Farrar.	Stephens.
Fisher.	Strong.
Forbes.	Terrell
Giles.	of Cherokee.
Graves.	Vaughan.
Hanson.	Veatch.
Harman.	West of Coryell.
Hefley.	

Absent.

Akin.	Patterson.
Barron.	Pope.
Bryant.	Richardson.
Dodd.	Sherrill.
Dunlap.	Smith of Bastrop.
Fuchs.	Terrell
Herzik.	of Val Verde.
Hines.	Westbrook.
Leonard.	Wiggs.
Nicholson.	Young.

Absent—Excused.

Adams of Harris.	Englehard.
Adamson.	Farmer.
Beck.	McDougald.
Bond.	Moore.
Claunch.	Tarwater.

Mr. Justiss offered the following amendment to the resolution:

Amend resolution so as to provide \$25 for stamps.

The amendment was lost.

The resolution as amended was then adopted.

PROVIDING FOR EMPLOYES OF THE HOUSE.

Mr. Sanders offered the following resolution:

Be it resolved, That the Speaker of the House shall appoint the following employes for the First Called Session of the Forty-second Legislature to serve for such compensation as is hereinafter provided for:

One parliamentarian to the House at \$10 per day.

One secretary to the Speaker at \$7.50 per day.

One porter for the Speaker at \$3.50 per day.

One clerk for the Speaker at \$5 per day.

One secretary to the Chief Clerk at \$5 per day.

One clerk to the Chief Clerk at \$5 per day.

One page to the Chief Clerk at \$3 per day.

One Warrant Clerk at \$5 per day.

One assistant to Journal Clerk at \$7.50 per day.

One assistant to Calendar Clerk at \$5 per day.

One stenographer for Committee on Appropriations at \$5 per day.

One superintendent of stenographers at \$7.50 per day.

Thirty expert stenographers at \$5 per day.

Two committee clerks at \$5 per day.

One mailing clerk for Journal at \$5 per day.

One assistant to mailing clerk at \$5 per day.

One superintendent of the House at \$5 per day.

Two pages for Doorkeeper at \$3 per day.

One page for Engrossing and Enrolling Clerks at \$2.50 per day.

One page for stenographic force at \$2.50 per day.

One mimeograph clerk at \$5 per day.

Twenty-two pages at \$2.50 per day.

One secretary for Mr. Van Zandt at \$4 per day.

One bookkeeper for the Sergeant-at-Arms at \$7.50 per day.

One Assistant Sergeant-at-Arms at \$5 per day.

One storekeeper to Sergeant-at-Arms at \$4 per day.

One clerk to Sergeant-at-Arms at \$4 per day.

One page to Sergeant-at-Arms at \$3 per day.

One night watchman at \$4 per day.

One elevator man at \$4 per day.

Two messengers to carry papers to Confederate Home and to Woman's Home at \$2 per day each.

Twelve porters at \$3 per day each.

One chief operator for voting machine at \$7.50 per day.

One assistant operator for voting machine at \$5 per day.

One clerk to Contingent Expense Committee at \$7.50 per day.

Be it further resolved, That it shall be the duty of the Speaker, and he is hereby empowered, to dispense with the services of any employe who, in his judgment, is not further needed, or for the misconduct of any employe; and he shall have the power to appoint extra help whenever, in his judgment, it is needed. The duties of the employes heretofore mentioned shall be such as are required by the Speaker of the House of Representatives.

Any of the employes may be excused by the Speaker for causes deemed by him sufficient; provided further, that any employe who shall absent himself without leave shall not receive any compensation for the time missed during his absence. The salaries of the employes shall begin when they are instructed to begin work by the Speaker.

SANDERS,
GRAVES,
PETSCH.

The resolution was read second time, and was adopted.

PROVIDING FOR NEWSPAPERS FOR MEMBERS.

Mr. Johnson of Dimmit offered the following resolution:

Resolved, That each member be allowed three daily newspapers during the First Called Session of the Forty-second Legislature, ordered through

the Committee on Contingent Expenses and to be paid for out of the contingent expense fund of the House.

JOHNSON of Dimmit,
ADAMS of Jasper,
RATLIFF.

The resolution was read second time.

Mr. Cox of Lamar offered the following amendment to the resolution:

Amend resolution by striking out the figure "three" and insert in lieu thereof the figure "one."

On motion of Mr. Justiss, the amendment was tabled.

The resolution was then adopted.

RELATIVE TO THE USE IN AMERICA OF COMMODITIES OF CERTAIN COUNTRIES.

Mr. Duvall and Mr. Johnson of Dimmit offered the following resolution:

H. C. R. No. 1, Concerning the use in America of commodities from certain countries.

Whereas, The world today faces an economic condition never before experienced, as the result of the policies of Soviet Russia, which, as the result of the confiscation of all wealth and the commandeering of all labor, is in a position to flood the world market in dangerous competition with all so-called capitalistic States; and

Whereas, This established policy of the Soviet government, if successful, will seriously affect labor and industry alike; be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the importation of commodities produced within the boundaries of the Union of Socialist Soviet Republics and sold in the United States below the cost of production is detrimental to the public interest and should be discontinued; that it deplores the exportation of industrial equipment and the extension of technical advice to the rulers of Russia, which is, in effect, giving aid to elements seeking to destroy the economic and political systems under which we live and is, therefore, wholly unjustified on political, economic, social and moral grounds; and that a copy of this resolution be sent to each Texas Senator and Congressman, with this request: that they support the Williamson-Oddie bill.

The resolution was read second time.

On motion of Mr. Johnson of Dimmit, the resolution was referred to the Committee on State Affairs.

CONGRATULATING HON. WILL H. SCOTT AND WIFE.

Mr. Metcalfe offered the following resolution:

Whereas, Our distinguished fellow-member from Nolan county, Hon. Will H. Scott, has deserted the ranks of bachelorhood and taken unto himself a charming helpmeet; and

Whereas, Such action upon his part meets the hearty approval of the members of this House in that hereafter there will be no doubt as to who controls the vote from the One Hundred and Seventeenth District; and

Whereas, Such success upon the part of one of our young bachelors should encourage other members of the House who have not been so fortunate as Mr. Scott to continue their efforts toward securing for themselves competent marriages; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the member from Nolan county and his wife be escorted to the Speaker's stand and required to introduce his wife to the House.

Signed—Messrs. Metcalfe, Sanders, Burns of Walker, Burns of McCulloch, Moffett, Lasseter, Long, Patterson, Murphy, Young, Adkins, Sullivan, Daniel, Gilbert, Holland, Lilley, Hatchitt, Harrison of Waller, Dowell, Alsup, Lemens.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. and Mrs. Scott to the Speaker's stand:

Messrs. Burns of McCulloch, Metcalfe and Sullivant.

The committee having performed their duty, Speaker Minor presented Mr. Scott, who introduced Mrs. Scott, and addressed the House briefly.

PROVIDING FOR A JOINT SESSION OF CERTAIN HOUSE AND SENATE COMMITTEES.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 2, Providing for a joint session of the House Committee on Gas, Oil and Mining with the

Senate Committee on State Affairs for the purpose of making thorough and detailed investigation of the oil and gas business in Texas, so that the members of the Legislature may have the facts before them in considering conservation legislation with reference to these natural resources of Texas.

Whereas, The development of oil and gas, which are included among the natural resources of Texas, has afforded a profitable income to many thousands of wage-earners, as well as to many classes and kinds of business concerns and institutions throughout Texas for the past quarter of a century; and the income from royalties and ground rentals throughout these past years has provided financial independence to many thousands of land owners; all of these adding prosperity and happiness to a large percentage of the citizenship of this State; and

Whereas, Oil and gas produced from the University of Texas-owned lands during the past few years has added to the permanent fund of that institution in excess of sixteen million dollars (\$16,000,000); and

Whereas, The 2 per cent production tax levied by the State on all marketed crude oil produced within this State amounted to more than six million dollars (\$6,000,000) for the fiscal year closing August 31, 1930, and in addition to this amount the oil and gas industry, with all of its accessories, paid an ad valorem tax of a little less than five million dollars (\$5,000,000) and a further sum approximating fifteen million dollars (\$15,000,000) in county, city, school and other local taxes; and

Whereas, All of the above mentioned items resulted from a market for crude oil at the wells in excess of \$1 per barrel; and

Whereas, During recent months the price of crude oil has been reduced to a basis of approximately 10 cents per barrel, which is resulting in a State gross production tax of less than one million dollars (\$1,000,000) this fiscal year as compared to more than six million dollars (\$6,000,000) last year, as well as to demoralize the development and production of crude oil in this State; and

Whereas, The Governor of Texas, recognizing the deplorable condition of oil and gas in this State, citing that provision of the Constitution declaring that "the conservation and

development of all of the natural resources of this State * * * and the preservation and conservation of all such natural resources of the State are each and all hereby declared public rights and duties; and the Legislature shall pass all such laws as may be appropriate thereto," has by proclamation this day convened the Forty-second Legislature in an extraordinary Special Session, primarily for the purpose of "enacting such legislation as will adequately provide for the conservation of the natural resources of our State"; and

Whereas, It has been repeatedly charged and alleged in public print, as well as in private conversation, that the present unprofitable and ridiculously low price of crude oil is the result of over-production and unfair tactics practiced in the manipulation of the markets, as well as in production, proration, etc.; and

Whereas, The people of Texas are vitally and justly concerned in an orderly production, as well as a fair market for the oil and gas produced in this State, and in order that the members of the Legislature may have the opportunity of developing the facts in all phases of the development, production, transportation, refining and marketing, including wholesale and retail markets and any and all other matters in connection with the oil and gas business of this State, so as to make it possible for an intelligent and practical passage of such conservation legislation as will give the expected and hoped-for relief; now, therefore, be it

Resolved by the House of Representatives of the First Called Session of the Forty-second Legislature, the Senate concurring, That the House Committee on Oil, Gas and Mining and the Senate Committee on State Affairs meet in joint session in the Hall of the House of Representatives at 2 o'clock p. m., Wednesday, July 15, for the following purposes:

1. To organize the two committees jointly for the purpose of immediately considering the advisability of the passage of such bill or bills as may be introduced in either house of the Legislature dealing with the conservation of oil and gas.

2. To make a thorough and detailed investigation of the development, production, transportation, refining, marketing, both as to wholesale and retail markets, and any and all other matters in connection with

the oil and gas business of this State, in which the committee may deem advisable and proper in order to develop such facts as will enable the members of the Legislature to pass just and fair legislation providing for the conservation of the oil and gas resources of this State.

3. That the joint committee shall have the power to formulate rules of procedure and evidence, and to provide for hours and time of meeting from day to day, not to exceed eight consecutive solar calendar days, not including Sunday, unless further time is granted the joint committee by concurrent resolution adopted by both the House and Senate. The sessions of the committee shall be held in the Hall of the House of Representatives and shall be open to the public, provided that no member of the House shall be deprived of the use and privileges of his or her designated desk and chair during the sessions of the committee, and that the members of the Senate be provided with comfortable chairs placed conveniently so as to be able to hear the proceedings of the committee. The Sergeant-at-Arms of the House and Senate and their assistants shall maintain order under the direction of the chairman of the committee and, when necessary, in order to maintain order, the privileges of the Hall shall be denied all persons except those permitted under the Rules of the House of the Forty-second Legislature, and such other persons directly connected with the investigation and proceedings of the joint committee.

4. The joint committee shall have power to issue process for such person or persons as in the judgment of the committee may be able to give information as may be deemed proper and necessary, and to compel the attendance of such person or persons, and the production of such books and records as this committee may deem proper for examination, and upon the disobedience of any subpoena said committee shall have power to issue attachments, which may be addressed to and served by the Sergeant-at-Arms of the House or Senate, or by the sheriff or constable of any county of this State. The said committee shall have power to administer oaths or affirmation to all persons appearing before the committee for the purpose of giving testimony or information of any nature or kind, and to fix the bond of attached witnesses. Such

witnesses attending sessions of the committee shall be allowed mileage and per diem as the Rules of the House of the Forty-second Legislature provides. All testimony and information as the committee may deem advisable and proper for reference information shall be stenographically reported and the same shall be transcribed and 200 copies mimeographed each day and one copy be supplied to each member of the Legislature.

5. The joint committee may call upon the Attorney General's Department and the State Auditing Department for assistance and advice, and it shall be the duty of the Attorney General's Department and the State Auditing Department to render opinions, give counsel and assistance when requested to do so by the committee.

6. That witness fees and all other necessary expenses not otherwise provided for incident to such investigation shall be paid out of the appropriation for contingent expenses of the First Called Session of the Forty-second Legislature, upon the sworn account of the person entitled to such pay, when approved by the chairman of the joint committee.

7. Be it further resolved, That during the hearing of said committee any member of the House or any member of the Senate shall have the right to participate in said hearing and exercise all of the rights and privileges of any other member of said committee, except the right to deliberate and vote on the bill to be reported out.

SATTERWHITE.
STEVENSON.

The resolution was read second time.

Question—Shall the resolution be adopted?

HOUSE BILL ON FIRST READING.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Sanders:

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred and fifty thousand dollars (\$150,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mileage of members, the per diem of officers and em-

ployes, and the contingent expenses of the First Called Session of the Forty-second Legislature of the State of Texas, convened on the 14th day of July, 1931, by proclamation of the Governor, to supplement the like appropriation of the Regular Session of said Legislature; to pay any unpaid vouchers or warrants held by members, officers or employes of the Regular Session of said Legislature; to pay any unpaid claims and accounts of members, officers or employes of said Session, or of other persons, authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution of the Forty-second Legislature at its Regular Session; to pay the per diem of members, officers or employes for pre-session and post-session work of the First Called Session of said Forty-second Legislature; providing how accounts may be approved and audited, and declaring an emergency."

Referred to Committee on Appropriations.

RECESS.

Mr. Satterwhite moved that the House recess to 3 o'clock p. m. today.

Mr. Kayton moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Satterwhite prevailed, and the House accordingly, at 1 o'clock p. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m., and was called to order by the Speaker.

BILL ORDERED NOT PRINTED.

On motion of Mr. Sanders, House bill No. 1 was ordered not printed.

HOUSE BILL NO. 1 ON SECOND READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 1 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker. Adamson.
Adams of Jasper. Adkins.

Alsup.	Kayton.
Baker.	Kennedy.
Barron.	Lasseter.
Bounds.	Lemens.
Boyd.	Leonard.
Brice.	Lilley.
Burns of Walker.	Lockhart.
Burns	Long.
of McCulloch.	McGill.
Carpenter.	McGregor.
Coltrin.	Magee.
Coombes.	Mathis.
Cox of Limestone.	Metcalfe.
Cunningham.	Moffett.
Dale.	Morse.
Davis.	Munson.
DeWolfe.	Murphy.
Donnell.	Nicholson.
Dowell.	Olsen.
Dwyer.	O'Quinn.
Elliott.	Petsch.
Farrar.	Ramsey.
Ferguson.	Ratliff.
Finn.	Ray.
Fisher.	Reader.
Forbes.	Rogers.
Ford.	Sanders.
Gilbert.	Satterwhite.
Giles.	Savage.
Goodman.	Shelton.
Graves.	Sherrill.
Greathouse.	Smith of Bastrop.
Grogan.	Sparkman.
Hanson.	Stephens.
Hardy.	Stevenson.
Hatchitt.	Sullivant.
Hefley.	Terrell
Hill.	of Val Verde.
Holder.	Towery.
Holland.	Turner.
Holloway.	Van Zandt.
Hoskins.	Vaughan.
Howsley.	Wagstaff.
Hubbard.	Walker.
Johnson	Warwick.
of Dallam.	Weinert.
Johnson	West of Coryell.
of Dimmit.	West of Cameron.
Johnson of Morris.	Wiggs.
Justiss.	Young.

Nays—2.

Albritton. Cox of Lamar.

Absent.

Akin.	Fuchs.
Anderson.	Harman.
Bedford.	Harrison
Bradley.	of El Paso.
Brooks.	Harrison
Bryant.	of Waller.
Caven.	Herzik.
Daniel.	Hines.
Dodd.	Hughes.
Dunlap.	Jackson.
Duvall.	Jones of Shelby.

Jones of Atascosa.	Rountree.
Keller.	Scott.
Laird.	Smith of Wood.
Lee.	Steward.
McCombs.	Strong.
Martin.	Terrell
Mehl.	of Cherokee.
Patterson.	Veatch.
Pope.	Westbrook.
Richardson.	Wyatt.

Absent—Excused.

Adams of Harris.	Farmer.
Beck.	McDougald.
Bond.	Moore.
Claunch.	Tarwater.
Englehard.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred and fifty thousand dollars (\$150,000), or so much thereof as may be necessary, out of the general revenues, to pay the per diem and mileage of members, the per diem of officers and employees, and the contingent expenses of the First Called Session of the Forty-second Legislature of the State of Texas, convened on the 14th day of July, 1931, by proclamation of the Governor; to supplement the like appropriation of the Regular Session of said Legislature; to pay any unpaid vouchers or warrants held by members, officers or employees of the Regular Session of said Legislature; to pay any unpaid claims and accounts of members, officers and employees of said Session or of other persons, authorized either by the Senate or the House of Representatives; to pay any and all sums for whatever purpose authorized to be expended by concurrent resolution of the Forty-second Legislature at its Regular Session; to pay the per diem of members, officers or employees for pre-session and post-session work of the First Called Session of said Forty-second Legislature; providing how accounts may be approved and audited, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1 ON THIRD READING.

The Speaker then laid House bill No. 1 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Johnson of Morris.
Adams of Jasper.	Justiss.
Adamson.	Kayton.
Adkins.	Kennedy.
Alsup.	Lasseter.
Baker.	Leonard.
Barron.	Lilley.
Bounds.	Lockhart.
Boyd.	Long.
Brice.	McGill.
Burns of Walker.	McGregor.
Burns	Magee.
of McCulloch.	Mathis.
Carpenter.	Metcalfe.
Coltrin.	Moffett.
Coombes.	Morse.
Cox of Limestone.	Munson.
Cunningham.	Murphy.
Dale.	Nicholson.
Davis.	Olsen.
DeWolfe.	O'Quinn.
Donnell.	Petsch.
Dowell.	Ramsey.
Dwyer.	Ratliff.
Elliott.	Ray.
Farrar.	Reader.
Ferguson.	Rogers.
Finn.	Sanders.
Fisher.	Satterwhite.
Forbes.	Savage.
Ford.	Shelton.
Gilbert.	Sherrill.
Giles.	Smith of Bastrop.
Goodman.	Sparkman.
Graves.	Stephens.
Greathouse.	Stevenson.
Grogan.	Sullivan.
Hanson.	Terrell
Hardy.	of Val Verde.
Hatchitt.	Towery.
Hefley.	Turner.
Hill.	Van Zandt.
Holder.	Vaughan.
Holland.	Veatch.
Holloway.	Wagstaff.
Hoskins.	Walker.
Howsley.	Warwick.
Hubbard.	Weinert.
Johnson	West of Coryell.
of Dallam.	West of Cameron.
Johnson	Wiggs.
of Dimmit.	Young.

Nays—2.

Albritton.	Cox of Lamar.
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Absent.

Akin.	Brooks.
Anderson.	Bryant.
Bedford.	Caven.
Bradley.	Daniel.

Dodd.	Lee.
Dunlap.	Lemens.
Duvall.	McCombs.
Fuchs.	Martin.
Harman.	Mehl.
Harrison	Patterson.
of El Paso.	Pope.
Harrison	Richardson.
of Waller.	Rountree.
Herzik.	Scott.
Hines.	Smith of Wood.
Hughes.	Steward.
Jackson.	Strong.
Jones of Shelby.	Terrell
Jones of Atascosa.	of Cherokee.
Keller.	Westbrook.
Laird.	Wyatt.

Absent—Excused.

Adams of Harris.	Farmer.
Beck.	McDougald.
Bond.	Moore.
Claunch.	Tarwater.
Englehard.	

PROVIDING FOR A JOINT SESSION OF CERTAIN HOUSE AND SENATE COMMITTEES.

The House resumed consideration of pending business, same being House concurrent resolution No. 2, providing for a joint session of the House Committee on Oil, Gas and Mining with the Senate Committee on State Affairs, for the purpose of considering oil conservation matters.

Mr. McGregor offered the following amendment to the resolution:

Amend House concurrent resolution No. 2, page 2, paragraph 7, line 4, by striking out the word "other" between the words "any" and "member."

The amendment was adopted.

Mr. Graves offered the following substitute for the resolution:

Whereas, The Governor of the State of Texas has called into Special Session the Forty-second Legislature, mainly for the purpose of considering the passage of legislation relative to the conservation of oil and gas within this State; and

Whereas, Each and every member of the House, as well as the Senate, is vitally interested in the effecting of such purpose and in the passage of a bill or bills that will conserve the natural resources of the State of Texas at this time; now, therefore, be it

Resolved, That the House and Senate resolve themselves into a Joint

Committee of the Whole, both House and Senate, for the purpose of considering all bills and measures, introduced either in the House or the Senate, relating to the conservation of natural resources, and the regulation, production, sale and distribution of any and all such resources within this State.

2. To make a thorough and detailed investigation of development, production, transportation, refining, marketing, both as to wholesale and retail markets, and any and all other matters in connection with the oil and gas business of this State, in which the Committee may deem advisable and proper in order to develop such facts as will enable the members of the Legislature to pass just and fair legislation providing for the conservation of the oil and gas resources of this State.

3. That Rule XXI be adopted to govern the procedure of the Joint Committee of the House and Senate in its deliberations, except subsection 2 be amended to provide that the Speaker of the House shall preside as chairman on the first sitting day of the Joint Committee and the President of the Senate on the second sitting day, and that they shall preside in this alternate order until the labors of the Committee have been completed.

4. That the Joint Committee shall have the power to formulate rules of procedure and evidence and to provide powers and time of meeting from day to day. The sessions of the Committee shall be held in the Hall of the House of Representatives and shall be open to the public. The Sergeants-at-Arms of the House and Senate and their assistants shall maintain order under the direction of the chairman of the Committee. The privileges of the Hall shall be denied all persons except those permitted under the Rules of the House of Representatives of the Forty-second Legislature and such other persons directly connected with the investigation and proceedings of the Joint Committee.

5. The Joint Committee shall have power to issue process for such persons as in their judgment may be able to give information desired and to compel the attendance of such person and the production of books and records that the Committee may deem proper; they shall have the power to punish disobedience of any subpoena, the same as is now provided by law

for district judges of this State; they may issue attachments for witnesses, books and documents, which shall be addressed to and served by the Sergeant-at-Arms of either house, or by any constable or sheriff of this State. Said Committee shall have power to administer oaths or affirmations to all persons appearing before it for the purpose of giving testimony or information; and may fix the bond of attached witnesses; a violation of any oath taken before the Committee shall be punished as is now provided by law for false statements and perjury. Such witnesses shall be allowed the same fee in mileage and per diem as the Rules of the House of the Forty-second Legislature provide. All testimony and information such as the Committee shall deem advisable may be stenographically reported and transcribed under the rules of this Committee.

6. That witness fees and all other necessary expenses not otherwise provided for incident to such investigation shall be paid out of the appropriation for contingent expenses of the First Called Session of the Forty-second Legislature, upon the sworn account of the persons entitled to such pay, when approved by the chairman of the Joint Committee.

GRAVES,
SANDERS,
HOLDER,
FORD,
HUBBARD.

Mr. McGregor raised a point of order on further consideration of the resolution by Mr. Graves on the ground that the Joint Rules of the House and Senate do not permit the House and Senate to sit as a Committee of the Whole.

On motion of Mr. Holder, further consideration of the resolution was postponed until 10 o'clock a. m. tomorrow.

ADJOURNMENT.

On motion of Mr. Anderson, the House, at 4:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The Committee on Appropriations today filed a favorable report on House bill No. 1.